

Julie Masters, Mayor
Charles Suderman
Bruce Henderson
Walter Wilson

MINUTES

City of Dickinson
CITY COUNCIL
REGULAR MEETING

Wally Deats, Mayor Pro Tem
Louis Decker
William H. King III
Julie M. Robinson, City
Administrator

October 11, 2016

NOTICE is hereby given of a **REGULAR MEETING** of the City Council for the City of Dickinson, County of Galveston, State of Texas, to be held on **TUESDAY, October 11, 2016, at 7:00 p.m.** at: 4403 Highway 3, Dickinson, Texas 77539 for the purpose of considering the following numbered items. The City Council of the City of Dickinson, Texas, reserves the right to meet in a closed session on any of the below items should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

ITEM 1.) CALL TO ORDER AND CERTIFICATION OF A QUORUM:

Invocation and Pledge of Allegiance.

Mayor Masters called the meeting to order at 7:03 p.m. City Secretary Alun Thomas called roll and certified a quorum. Council Members present were as follows: Mayor Julie Masters, Mayor Pro-Tem Wally Deats, and Council Members Charles Suderman, Bruce Henderson, Walter Wilson, Louis Decker and William H. King, III. Also present were Chief Financial Officer Stephanie Russell, Management Assistant Bryan Milward, Director of Community Development Zachary Meadows, Director of Public Works Paul Booth, and Police Chief Ron Morales. Reverend Keith Washington from Mount Carmel Missionary Baptist Church gave the invocation, and Council Member King led the Pledge of Allegiance.

ITEM 2.) PROCLAMATIONS AND COUNCIL COMMENTS:

A. Breast Cancer Awareness Month

Mayor Masters presented a Proclamation for Breast Cancer Awareness to City Administrator Julie Robinson and to members of D'Feet Breast Cancer, Inc. Kathy Lindsey from D'Feet Breast Cancer, Inc. gave information about the organization and encouraged volunteers to sign up for the organization's fundraiser on October 22, 2016 at Moody Gardens in Galveston.

Council Comments:

- Welcome and thank you to all attending.
- The Texas Municipal League Annual Conference was held in Austin last week and featured several speakers. Topics included the upcoming legislative session, future technologies and challenges, how cities can take part in the global economy, and the importance of maintaining awareness of Open Records.

- Early voting in Texas starts soon, and all citizens are encouraged to cast their vote.
- DAR and the Ministerial Alliance cleaned headstones at Magnolia Cemetery today in the rain from 8:30 a.m. through 12:00 noon.
- Council Member King attended an event at Lobit Education Village, and thanks Officer Tony Valdez for his time and efforts there.
- Dickinson received almost 1½ inches of rain today.
- National Night Out was a great success this year, with many members of Council taking part. Thank you to Police Chief Ron Morales and Officer Tony Valdez for coordinating and taking part in the events around the city. National Night Out is a good chance for Council Members to speak with citizens, and this year was no exception.
- The Knights of Columbus Fish Fry last Friday was very well attended and well enjoyed.
- The Dickinson High School Gators had a disappointing result last week, but we hope for the best in the upcoming game against Alvin.
- Thank you to Mayor Pro Tem Wally Deats and the 50-60 Air Force ROTC cadets who volunteered to help the Festival of Lights this past weekend. Volunteers are still needed in the coming weekends, and everyone is encouraged to give some of their time.
- Council Member Suderman acknowledged Breast Cancer Awareness Month, and noted that in addition to wearing pink for the cause, he is also wearing a blue tie for his daughter who has hopefully beaten colon cancer, and grey slacks for his daughter who beat her brain tumor.
- The Gill Road reconstruction project has a large drop-off on the pavement between the old and the new section of paving.
- Saturday was the Dickinson Distinguished Alumni event, with Karen McFarland being honored at the banquet for her accomplishments.

ITEM 3.) PUBLIC COMMENTS: At this time, any person with city-related business may speak to the Council. In compliance with the Texas Open Meetings Act, The City Council may not deliberate. **Comments from the public should be limited to a maximum of three (3) minutes per individual speaker.**

Jerry Armstrong, 2901 46th Street, Dickinson, Texas: Mr. Armstrong said that he has 20 days left to comply with the judge's order, yet received a letter from the City about 10 days ago for the same issue at a different property that is not covered by the order. He asked that the City be more lenient in its enforcement to allow him time to move out of town. Mr. Armstrong is scheduled to close on his house on the 19th, after which he will have the money needed to move the four containers off of the lot. He stated that he is available to meet with the City and talk about the issues.

Ed Maroney, 1001 Rosewood Drive, Dickinson, Texas: Mr. Maroney's driveway extends six feet into the City's right-of-way, and the driveway has been developing a large gap. He asked the City to fill the gap with asphalt, but the gap has yet to be filled. He also asked that the potholes in the street near his home be filled, but only a few were. In frustration, he took it upon himself to purchase four sacks of ready mix concrete and filled some of them himself, but would still like the City to fill the remaining potholes on Rosewood Drive.

ITEM 4.) CONSENT AGENDA: CONSIDERATION AND POSSIBLE ACTION:

The following items are considered routine by the City Council and will be enacted by one motion. There will not be a separate discussion on these items unless a Council member requests, in which event, the item will be removed from the consent agenda and discussed after the consent agenda.

A. Approval of the Minutes of the Regular Council Meeting of September 27, 2016.

B. Resolution XXX-2016 – **A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF DICKINSON, TEXAS, APPROVING THE EXECUTION OF A TRUSTEE'S DEED CONVEYING LOTS THIRTEEN (13) THROUGH SIXTEEN (16), BLOCK TWO HUNDRED SEVENTY-ONE (271), NICHOLSTONE SUBDIVISION IN DICKINSON, GALVESTON COUNTY, TEXAS, DESCRIBED MORE PARTICULARLY IN THE INSTRUMENTS RECORDED AT FILM CODE 001-17-1065 AND 001-17-1076 IN THE OFFICIAL DEED RECORDS OF GALVESTON COUNTY, TEXAS, FROM GALVESTON COUNTY TO REYNALDO ZEPEDA-DOWNING; PROVIDING FOR THE INCORPORATION OF PREAMBLE; AUTHORIZING EXECUTION OF THE AGREEMENT BY THE MAYOR; AND PROVIDING AN EFFECTIVE DATE.**

Council Member Suderman made a motion to approve both items on the consent agenda, and Council Member Wilson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker and King)

0 NAYS

MOTION PASSED

OLD BUSINESS

ITEM 5.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Update of Public Works Projects.

A. Fiscal Year 2014-2015 Street Maintenance Sales Tax Projects [48th Street (East of Highway 3), 33rd Street (East), 28th Street (West of

Highway 3), Leonetti Lane, Oleander (Palm to Bridge), and Greenbriar Street].

- B. Fiscal Year 2015-2016 Street Maintenance Sales Tax Projects [35th Street (East of Kansas Avenue), Nebraska Street, Hollywood Street, Gill Road, Johnson Street, Mariner's Way, Pine Oak Circle].
- C. Fiscal Year 2016-2017 Street Maintenance Sales Tax Projects [Winding Way, Pine Lane, Timber Lane, Chicago Street, Holly Drive, Woodlawn and Benson Street].
- D. Status of Traffic Counts Related to Road Stabilization Program.
- E. Status of Purchase of Slope Mower.

Public Works Director Paul Booth presented Council with an update on the status of the current Public Works Projects and addressed the questions of Council. Council directed that the results of the recent street sign inventory be made available to Council.

ITEM 6.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Ordinance XXX-2016 – AN ORDINANCE REVISING ARTICLE II, BUILDING CODES, OF CHAPTER 5, BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON, TEXAS TO ADOPT THE 2015 INTERNATIONAL BUILDING CODE, THE 2015 INTERNATIONAL RESIDENTIAL CODE, THE 2015 INTERNATIONAL PLUMBING CODE, THE 2015 INTERNATIONAL MECHANICAL CODE, THE 2015 INTERNATIONAL FUEL GAS CODE, THE 2015 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2015 INTERNATIONAL EXISTING BUILDING CODE, AND THE 2015 INTERNATIONAL PROPERTY MAINTENANCE CODE EACH OF AS PUBLISHED BY THE INTERNATIONAL CODE COUNCIL, INC.; ADOPTING THE 2014 NATIONAL ELECTRIC CODE AS PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, INC.; PROVIDING FOR THE INCORPORATION OF PREMISES; PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID STANDARD CODES; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE AND AN EFFECTIVE DATE. (Second of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member Wilson made a motion to approve the ordinance in two readings, and Council Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker and King)

0 NAYS

MOTION PASSED

- ITEM 7.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance XXX-2016 – AN ORDINANCE DELETING SECTION 7-76, FIRE PREVENTION CODE – ADOPTED, OF DIVISION 2, FIRE PREVENTION CODE, OF ARTICLE III, FIRE PREVENTION, OF CHAPTER 7, FIRE PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCES OF THE CITY OF DICKINSON, TEXAS; ADOPTING A NEW SECTION 7-76, FIRE PREVENTION CODE – ADOPTED, OF DIVISION 2, FIRE PREVENTION CODE, OF ARTICLE III, FIRE PREVENTION, OF CHAPTER 7, FIRE PREVENTION AND PROTECTION, OF THE CODE OF ORDINANCE TO ADOPT THE “INTERNATIONAL FIRE CODE,” 2015 EDITION, AS PUBLISHED BY INTERNATIONAL CODE COUNCIL, INC.; PROVIDING CERTAIN AMENDMENTS AND DELETIONS TO SAID STANDARD CODE; PROVIDING A PENALTY OF AN AMOUNT NOT TO EXCEED \$2,000 FOR EACH DAY OF VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING A REPEALER CLAUSE, A SEVERABILITY CLAUSE, A SAVINGS CLAUSE, AND AN EFFECTIVE DATE. (Second of Three Readings)

Mayor Masters read the ordinance by caption only. Council Member King made a motion to approve the ordinance in two readings, and Council Member Henderson seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker and King)

0 NAYS

MOTION PASSED

NEW BUSINESS

- ITEM 8.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Designation of City Representative and Alternate to the Houston-Galveston Area Council 2016 General Assembly.

Council Member Wilson made a motion to designate Council Member King as the City Representative to the Houston-Galveston Area Council General Assembly, with Council Member Deats as his alternate. Council Member Deats ask for a volunteer to replace him as the Alternate. There being no volunteer, Council Member Deats agreed to serve as the Alternate is designated. Council Member Henderson seconded Council Member

Wilson's motion. There being no further discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker and King)

0 NAYS

MOTION PASSED

- ITEM 9.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 – **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS, AMENDING SUBSECTION (1), 20 MILE PER HOUR SCHOOL ZONES, OF SUBSECTION (f), SCHOOL ZONES, OF SECTION 10-3, TRAFFIC-CONTROL DEVICES, OF CHAPTER 10, MOTOR VEHICLES AND TRAFFIC, OF THE CODE OF ORDINANCES BY ADDING THERETO A SCHOOL ZONE ON WINDING BROOK DRIVE FROM ITS INTERESECTION WITH STATE FARM-TO-MARKET ROAD 517 TO A POINT ONE-HUNDRED NINE FEET (109') EAST OF WOOD SORREL DRIVE; PROVIDING FOR THE INCORPORATION OF PREAMBLE; PROVIDING FOR A PENALTY NOT TO EXCEED \$200 AND THAT EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES SHALL BE DEEMED A SEPARATE OFFENSE; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.** (First of Three Readings)

Mayor Masters read the Ordinance by caption only. Council Member Wilson made a motion to approve the ordinance on first reading, and Council Member Decker seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker and King)

0 NAYS

MOTION PASSED

- ITEM 10.) CONSIDERATION AND POSSIBLE ACTION CONCERNING:** Ordinance Number XXX-2016 - **AN ORDINANCE OF THE CITY OF DICKINSON, TEXAS REVISING THE ORDINANCE NUMBER ASSIGNED TO THE ORDINANCE APPROVING AND ADOPTING THE CITY OF DICKINSON'S BUDGET FOR FISCAL YEAR 2001-2002 FROM ORDINANCE NUMBER 428-2001 TO ORDINANCE NUMBER 428-2001(A) TO CORRECT A CLERICAL ERROR IN ORDINANCE NUMBERING; PROVIDING FOR THE INCORPORATION OF A PREAMBLE; AND PROVIDING A REPEALER CLAUSE, A SAVINGS CLAUSE, A SEVERABILITY CLAUSE, AND AN EFFECTIVE DATE.** (First of Three Readings)

Mayor Masters read the Ordinance by caption only. Council Member Deats made a motion to approve the ordinance on first reading, and Council

Member King seconded the motion. There being no discussion, Mayor Masters called for the vote.

VOTE:

6 AYES (Suderman, Henderson, Wilson, Deats, Decker and King)

0 NAYS

MOTION PASSED

ITEM 11.) EXECUTIVE SESSION: The City Council will now hold a closed executive meeting pursuant to the provision of Chapter 551, Government Code, Vernon's Texas Codes annotated, in accordance with the authority contained in:

A. Section 551.071 – Consultation with Attorney regarding pending or contemplated litigation or a matter in which the duty of the City Attorney requires to be discussed in closed meeting.

There being no need, Mayor Masters cancelled the scheduled Executive Session.

ITEM 12.) RECONVENE

There being no Executive Session held, this item was not needed.

ITEM 13.) CONSIDERATION AND POSSIBLE ACTION CONCERNING: Matters Discussed in Executive Session.

There being no Executive Session held, this item was not needed.

ITEM 14.) ADJOURN

Council Member Wilson made a motion to adjourn the meeting at 7:59 p.m., and Council Member Henderson seconded the motion.

VOTE:

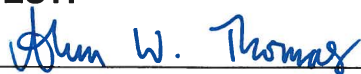
6 AYES (Suderman, Wilson, Henderson Deats, Decker and King)

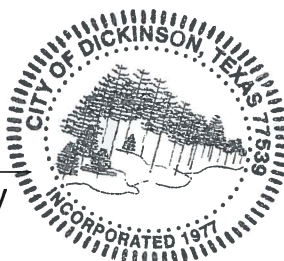
0 NAYS

MOTION PASSED

PASSED, APPROVED AND ADOPTED this the 25th day of October, 2016.

ATTEST:


Alun W. Thomas, City Secretary




Julie Masters, Mayor